

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE DEVELOPMENT CODE, TA 2014-0001,
MARIJUANA DISPENSARIES TEXT AMENDMENT**

WHEREAS, the 2014 Oregon Legislature passed and Governor Kitzhaber signed Senate Bill 1531 allowing medicinal marijuana dispensaries to be located in Oregon; and

WHEREAS, SB 1531 also allows local jurisdictions to place additional “reasonable” regulations on the medicinal marijuana dispensary use, provided that the regulations are solely based on time, place, and manner; and

WHEREAS, on April 22, 2014, the Beaverton City Council adopted Ordinance No. 4638, which placed a time-limited moratorium on the establishment of medicinal marijuana dispensaries in Beaverton for the purpose of allowing staff to draft appropriate local zoning regulations for the use; and

WHEREAS, on August 6, 2014, and September 10, 2014, the Planning Commission conducted public hearings to consider a City-initiated application to modify the text of Chapter 20 (Land Uses) of the Development Code to allow Medical Marijuana Dispensaries as a Permitted Use and to consider adding additional local regulations consistent with the provisions of SB 1531; and

WHEREAS, the Planning Commission received and considered the submitted staff report, exhibits, and public testimony on this text amendment; and

WHEREAS, the Planning Commission voted to recommend approval of the text amendment to the Beaverton City Council on September 10, 2014; and

WHEREAS, the Beaverton City Council considered a staff presentation on the Planning Commission recommended text amendment on October 14, 2014, after which time the Council directed staff to schedule a public hearing before the City Council to consider revisions to the Planning Commission recommended text amendment; and

WHEREAS, the Beaverton City Council conducted a public hearing on October 21, 2014, to consider revisions to the Planning Commission recommended text amendment; and

WHEREAS, the Beaverton City Council voted to approve the revisions to the Planning Commission recommended text amendment at the conclusion of the Council’s public hearing on October 21, 2014; and

WHEREAS, the Council adopts as to criteria applicable to this request and findings thereon the Planning Division Staff Report dated July 30, 2014, September 3, 2014, Planning Commission Land Use Order No. 2367, and the Planning Division staff report to the City Council dated October 15, 2014; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 2050, the Development Code, is amended to read as set out in Exhibit "A" to this Ordinance attached to and incorporated herein by this reference.

First reading this _____ day of _____, 2014.

Second reading and passage this _____ day of _____, 2014.

Approved by the Mayor this _____ day of _____, 2014.

ATTEST:

APPROVED:

CATHY JANSEN, City Recorder

DENNY DOYLE, Mayor